REMARKS

Claims 1-6, all the claims pending in the application, stand rejected. Claims 1, 5 and 6 are amended. New claims 7-12 are added.

Support for Claim Amendments

The amendment to claims 1, 5 and 6 removes the reference to moving distance becoming longer and focuses the claim only on moving speed becoming slower, as a distance value becomes larger. The reason for the change is the absence in the prior art of any reference to moving speed, as acknowledged by the Examiner. The subject matter related to moving distance becoming longer is now presented separately in claims 7-12, but with an added clarification, as explained below.

New independent claims 7, 11 and 12 focus only on moving distance becoming longer as a distance value becomes larger, and make no mention of speed. In addition, the claims also state that the moving distance increases only as a result of the distance data increasing, as suggested by the Examiner.

Claim Rejections - 35 U.S.C. § 112

Claims 1-4 and 6 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. This rejection is traversed for at least the following reasons.

The Examiner repeats the basis for rejection from the previous Office Action. The Examiner discounts Applicants' explanation that the components of the system as illustrated in Fig. 1 coupled with the software of Figs 11 and 12, and the explanation in the text of the specification provides the corresponding structure. The Examiner comments at page 10 of the Office Action that "while the Applicant as disclosed the corresponding structure that performs

the steps disclosed in respective figures the Applicant has failed to disclose the corresponding structure that performs the claimed function."

Applicants respectfully submit that the Examiner erroneously rejects Applicants' previous explanation. However, in order to fully address each limitation, the following is expressly identified as structures corresponding to each limitation:

Distance data calculation means - the corresponding structure is in Fig. 1 and includes a microprocessor 14, in which processing section 16, main memory 26 and I/O processing section 30. As expressly stated in paragraph 0084 of the published application, these components combine to execute the processes illustrated in Figs. 11 and 12, based upon information stored in a DVD-ROM 25 and processed by a DVD reproduction section 24. Specifically the process of Step 202, as described in paragraph 0092 is conducted. This calculation by the microprocessor is also described at paragraph 0057.

Moving state determination means - the corresponding structure is in Fig. 1 and includes a microprocessor 14, in which processing section 16, main memory 26 and I/O processing section 30. As expressly stated in paragraph 0084 of the published application, these components combine to execute the processes illustrated in Figs. 11 and 12, based upon information stored in a DVD-ROM 25 and processed by a DVD reproduction section 24. Specifically, the microprocessor 14 performs a calculation on the basis of a distance L, as explained in paragraph 0062, is conducted as part of the exaggeration processing.

Object moving means - the corresponding structure is in Fig. 1 and includes a microprocessor 14, in which processing section 16, main memory 26 and I/O processing section 30. As expressly stated in paragraph 0084 of the published application, these components combine to execute the processes illustrated in Figs. 11 and 12, based upon information stored in

a DVD-ROM 25 and processed by a DVD reproduction section 24. Specifically, the microprocessor 14 performs a calculation on the basis of various parameters that can include trajectory change rate, vector quantities, scalar quantities, time and acceleration, as explained in paragraphs 0063-0082, is conducted to provide the data for having an object move.

Size information determination means - the corresponding structure is in Fig. 1 and includes a microprocessor 14, in which processing section 16, main memory 26 and I/O processing section 30. As expressly stated in paragraph 0084 of the published application, these components combine to execute the processes illustrated in Figs. 11 and 12, based upon information stored in a DVD-ROM 25 and processed by a DVD reproduction section 24. Specifically, the microprocessor 14 performs a calculation on the basis of a magnification rate and distance L, as explained in paragraphs 0059-0061, is conducted as part of the exaggeration processing.

Object enlargement and reduction means - the corresponding structure is in Fig. 1 and includes a microprocessor 14, in which processing section 16, main memory 26 and I/O processing section 30. As expressly stated in paragraph 0084 of the published application, these components combine to execute the processes illustrated in Figs. 11 and 12, based upon information stored in a DVD-ROM 25 and processed by a DVD reproduction section 24. Specifically, the microprocessor 14 performs a calculation on changed size based upon magnification rates and the content of tables reflecting values illustrated in Figs. 7, 9 and 10, as described in paragraph 0078-0082 and 0093-0098.

Thus, as noted by the Federal Circuit in recent decisions, the individual components of recited means-plus-function limitations may be a common hardware structure and separate software modules that provide processing in a flowchart.

On the basis of the foregoing explanation, this rejection should be withdrawn.

Claim Rejections - 35 U.S.C. § 102

Claims 1-3, 5 and 6 are rejected under 35 U.S.C. § 102(a) as being anticipated by Kamiwada et al (U.S. 2004/0141014). This rejection is traversed for at least the following reasons.

Amended Claim 1

In framing the rejection of the claims, the Examiner appears to concede that there is no teaching of a calculation and exaggeration processing based on object moving speed. The Examiner constructs an argument that Kamiwada et al teaches a calculation and exaggeration processing based on moving distance.

Accordingly, Applicants have amended claim 1 to focus the claim exclusively on a calculation and exaggeration processing based on object moving speed. This claim, and those dependent therefrom, should be allowable.

Dependent Claims 2 and 3

These claims would be patentable because of their dependency from amended claim 1.

Amended Claims 5 and 6

These independent claims have been amended to focus only on a calculation and exaggeration processing based on moving speed. They would be patentable for the same reasons as independent amended claim 1.

Claim Rejections - 35 U.S.C. § 103

Claim 4 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Kamiwada et al (U.S. 2004/0141014) in view of Moran (5,880,743). This rejection is traversed for at least the following reasons.

Claim 4

This claim would be patentable for the reasons given for parent claim 1.

Moran et al

The patent to Moran et al is cited for a teaching of the claimed "size information determination means" that determines a rate by which the object is enlarged or reduced as the size information of the object based on the distance data, and the object enlargement and reduction means enlarges or reduces the object having a predetermined size by the rate, with reference to the disclosure at col. 20, lines 33-41.

The cited disclosure concerns animation of changes to data in a display-oriented graphical editing system where an object or group of objects is displayed. Moran merely teaches a user control, based on freeform and/or a structured operation, of changes to a selected object such as movement to a new location or expansion/shrinking. The changes occur gradually at a visually apparent rate, rather than instantaneously. However, there is no teaching or suggestion that any such change may be based upon a distance between a viewpoint and an object. These are all user selected and controlled modifications of object size. Thus, Moran fails to remedy the deficiencies in Kamiwada et al.

Claim 10

This claim would be patentable for reasons given for parent claim 7.

In short, the basic invention is clearly patentable over the cited art since the fundamental concept of the invention is neither taught or suggested.

New Claims

New Claim 7

Applicants have filed a new independent claim 7, which focuses only on a calculation and exaggeration processing based on moving distance. However, consistent with the Examiner's comment at page 5 of the Office Action, Applicants have limited the claim to a moving distance that increases only as a direct result of the value of the distance data first increasing. The added reference to a "value" is in response to the Examiner's comment at page 5 of the Office Action. This amendment reflects the actual operation of the disclosed device 10.

New Claims 8 and 9

These claims are duplicates of claims 2 and 3 and should be patentable for reasons already given for parent claim 7.

New Claims 11 and 12

These independent claims focus only on a calculation and exaggeration processing based on moving distance. They would be patentable for the same reasons as independent claim 7.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Alan J. Kasper/

Alan J. Kasper
Registration No. 25,426

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE
23373
CUSTOMER NUMBER

Date: October 22, 2009